

# **EXHIBIT 1**

Issue	Example Record Cite
Agency should have prepared an Environmental Impact Statement (EIS)	DOT_7638 (comment urging preparation of an EIS); DOT_7737 (comment urging a full and thorough EIS)
Limited discussion on dismissal of alternatives to Congestion Pricing	DOT_44938 (EPA March 10, 2022 letter); DOT_45084 (EPA October 3, 2022 meeting summary); DOT_7591
Failure to consider dynamic Tolling as an alternative to Congestion Pricing	DOT_7938-42 (comment raising dynamic tolling); DOT_8717 (comment raising dynamic tolling); DOT_11469-70 (comment raising dynamic tolling); DOT_44942 (March 2022 letter from EPA raising dynamic tolling)
Failure to consider phased-in implementation as an alternative to Congestion Pricing	DOT_7677-78 (raising phased-in implementation); DOT_31317 (same)
Concerns about limited time for community to review documents and provide comments	DOT_9184 (comment regarding insufficient time to review documents and participate in the process)
Concerns about commenting on range of hypothetical scenarios, instead of defined toll structure	DOT_19422 (comment regarding vague information and no way of knowing personal impacts of Congestion Pricing); DOT_19811 (comment regarding lack of a plan presented)
Increased pollution near the FDR Drive	DOT_31453 (comment regarding increased pollution along FDR Drive due to redistributed traffic); DOT_7709 (comment regarding increased congestion along FDR Drive)
Increased pollution near the Bronx	DOT_44989 (showing increase in VMT in Bronx under multiple tolling scenarios); DOT_45025 (September 2022 letter from EPA expressing concerns about adverse air quality impacts outside of CBD, including the Bronx)
Increased pollution in Richmond County (Staten Island)	DOT_45025 (September 2022 letter from EPA expressing concerns about adverse air quality impacts outside of CBD, including Richmond County)
Increased pollution in Nassau County	DOT_7591 (comment regarding higher traffic volumes in Nassau County); DOT_7751 (same); DOT_7787 (same)
Increased pollution in Bergen County	DOT_45025 (September 2022 letter from EPA expressing concerns about adverse air quality impacts outside of CBD, including Bergen County)
Lack of attention paid to Environmental Justice communities	DOT_44982 (FHWA concerns expressed to MTA regarding diverting traffic to EJ communities); DOT_7320-25 (EPA request for comparative analysis of air quality impacts on general population and minority/low-income populations); DOT_45082 (Oct. 2022 meeting summary memo where EPA encourages consideration of cumulative impacts that could impact burdened communities); DOT_31453 (comment

	regarding neglected low-income communities in NY)
Concerns about insufficient mitigation	DOT_7456 (comments regarding insufficient mitigation measures; DOT_7572 (comment requesting fortified mitigation measures); DOT_7638 (comment regarding lack of appropriate mitigation measures)
Concerns regarding Adaptive Management Plan for mitigation	DOT_45083 (Oct. 2022 meeting summary memo where EPA seeks a more specific adaptive management plan for mitigation); DOT_45366 (March 2023 email from EPA expressing continued concerns regarding Adaptive Management Plan)
Community concerns about taking public transit due to increased crime	DOT_7992 (comment raising concerns about crime on subway); DOT_11476 (same); DOT_11514 (same); DOT_11589 (same); DOT_11615 (same); DOT_14334 (same)